IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.2822 OF 2000

Miss Jyostna Prabhakat Nandanwar, .. Petitioner

Vs

1. State of Maharashtra and ors .. Respondents

Mr R.K.Mendadkar, for the petitioner.

Mr C.R.Sonawane, AGP for the respondents-State.

CORAM : V.G.PALSHIKAR & D.B.BHOSALE,JJ.

DATE : 18th August, 2005.

PC:

1. Heard learned counsel for the parties.

2. By this petition, the petitioner has impugned the order passed by the Caste Scrutiny Committee invalidating the caste certificate issued earlier in favour of the petitioner. During this period, the petitioner was taking education for obtaining a degree of BAMS. The learned counsel for the petitioner has not canvassed anything on merit though he has taken us through the impugned order and has submitted that the petitioner has completed her education.

3. We have considered the submissions of learned counsel for the parties and the order impugned, passed by the Caste Scrutiny Committee. It is based on cogent evidence and the conclusions are proper. There is, therefore, no reason to interfere with the order passed by the Caste Scrutiny Committee. On this ground alone, the writ petition is liable to be dismissed and is, accordingly, dismissed. Rule discharged.

4. However, the petitioner has, during this period, acquired a degree of BAMS which need not be withdrawn simply because the case certificate is invalidated. In any event, if the petitioner is still continuing to have education for obtaining a degree of BAMS, she shall be allowed to do so irrespective of the fact that her caste certificate stands invalidated.

(D.B.BHOSALE, J.) **(V.G.PALSHIKAR, J.)**